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10/528,215	03/17/2005	Bernd Salomon-Bahls	11138-017	6269

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EXAMINER	
KEE, FANNIE C	

ART UNIT	PAPER NUMBER
3679	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/528,215	SALOMON-BAHLS, BERND	
	Examiner	Art Unit	
	Fannie Kee	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 3, 5, 6, 11, 18, and 19 are objected to because of the following informalities: delete the word "is" before the word "arranged" in line 4.

Correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 5, 6, 11, 18, and 19 recite the limitation "the plug-in connection" at the beginning of line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the sleeve-shaped insert part" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2-4, 7-10, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legris U.S Patent No. 4,431,216 in view of Brandt U.S. Patent No. 5,711,550.

With regard to claim 2, and as seen in Figure 32 below, Legris in view of Brandt discloses the insert part (4) being of sleeve-shaped design and being insertable into a widened portion of the receiving opening of the base part in a manner providing a circumferential seal against the penetration of dirt and similar foreign bodies, the insert part lying completely within the base part and ending flush with the receiving opening when the insert part is positioned in the receiving opening.

With regard to claim 3, and as seen in Figure 32 below, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the

housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the inserted pipeline.

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

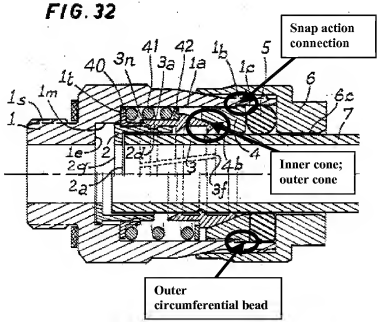
It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

Legris also does not specifically disclose that the sleeve-shaped insert part has two radially elastic spring arms which are formed by longitudinal slots and which engage releasably by means of radially outwardly protruding latching attachments in a form-fitting manner in corresponding latching openings of the base part. Brandt teaches that the sleeve-shaped insert part (22) can have two spring-loaded locking arms formed by longitudinal slots (see Figure 1) which latch in corresponding latching openings (34) of the base part such that a true positive connection can be achieved between the insert part and the base part (column 4, lines 30-33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the insert of Brandt in the system of Legris so that the insert part would have two spring-loaded locking arms formed by longitudinal slots which would latch in corresponding latching openings of the base part such that a true positive connection can be achieved between the insert part and the base part as taught by Brandt.

FIG. 32



With regard to claim 4, and as seen in Figure 32 above, Legris in view of Brandt disclose the claimed invention but do not disclose that the longitudinal slots are filled with the material of the dirt seal.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have filled the longitudinal slots with the material of the dirt seal as the seal would be pressed against the insert part as the pipeline is inserted into the connecting device. Therefore, the dirt seal would move to fill the longitudinal slots and provide an additional seal in the form fitting connection between the latching arms of the insert part and the base part.

With regard to claim 7, and as seen in Figure 32 above, Legris in view of Brandt discloses wherein the housing can be connected to a further assembly part via at least one connecting section (1s).

With regard to claim 8, and as seen in Figure 32 above, Legris in view of Brandt discloses the connecting section being designed as a pipe attachment for insertion into a second receiving opening.

With regard to claim 9, and as seen in Figure 32 above, Legris in view of Brandt discloses the claimed invention but does not disclose the base part being formed of two regions of two different types of molded plastic material.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the base part of two regions of two different types of plastic because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

With regard to claim 10, and as seen in Figure 32 above, Legris in view of Brandt discloses the connecting section being designed as a screw thread attachment (1s, column 10, line 36) including an externally threaded connector.

With regard to claim 16, and as seen in Figure 32 above, Legris in view of Brandt discloses that the insert part can be inserted into the base part with a press fit and has an outer circumferential bead.

With regard to claim 17, and as seen in Figure 32 above, Legris in view of Brandt discloses the circumferential sealing bead being attached to the insert part to form a single piece but does not disclose that the circumferential sealing bead consists of an elastic material.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the circumferential sealing bead from elastic because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

With regard to claim 18, and as seen in Figure 32 above, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the inserted pipeline.

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have

molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

Legris also does not disclose that the insert part has positioning means on its outer circumference for the automatic aligning on insertion into the base part, the positioning means being formed by means of two diametrically opposite, radially projecting longitudinal ribs which run axially in the insertion direction and engage in corresponding longitudinal grooves of the base part. Brandt teaches that the insert part (22) can have two diametrically opposite, radially projecting longitudinal ribs (Figures 6-8) which run axially in the insertion direction and engage in corresponding longitudinal grooves of the base part such that a true positive connection can be achieved (column 5, lines 52-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the insert of Brandt in the system of Legris so that the insert part would have two diametrically opposite, radially projecting longitudinal ribs which run axially in the insertion direction and engage in corresponding longitudinal grooves of the base part such that a true positive connection can be achieved as taught by Brandt.

With regard to claim 19, and as seen in Figure 32 above, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a

clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the inserted pipeline.

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

Legris also does not disclose that retaining edges are formed within the insert part following the inner cone as an axial end stop for the clamping ring. Brandt teaches that the insert part (22) can have retaining edges (42) formed within the insert part following the inner cone as an axial end stop for the clamping ring such that the clamping ring would not be pulled out when the pipeline is removed from the connecting device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed retaining edges within the insert part following the inner cone as an axial end stop for the clamping ring such that the clamping ring would not be pulled out when the pipeline is removed from the connecting device as taught by Brandt.

With regard to claim 20, and as seen in Figure 32 above, Legris in view of Brandt discloses first retaining edges being formed in the region of at least two spring arms and second retaining edges being formed in the regions situated between the spring arms, the first retaining edges being offset with respect to the second retaining edges by an axial offset in the direction of the inner cone whereby the clamping ring, when subjected to a force acting in the pulling-out direction of the pipeline comes to bear against the first retaining edges and the spring arms are subjected to a radially outwardly acting retaining-force component.

6. Claims 5, 6, and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legris U.S Patent No. 4,431,216.

With regard to claim 5, and as seen in Figure 32 above, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the inserted pipeline wherein the snap-action form-fitting connection has closed latching elements running in the circumferential direction..

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the

intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

With regard to claim 6, and as seen in Figure 32 above, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the inserted pipeline and a supporting sleeve (2) which is coaxial with the plug-in axis being arranged within the base part for the frictional engagement of the inserted pipeline.

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal

cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

With regard to claim 11 and as seen in Figure 32 above, Legris discloses a connecting device for the plug-in connection for at least one pipeline (7), the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) is arranged in the receiving opening and, in order to lock the pipeline in place, an outer conical surface of the clamping ring interacts with an inner conical surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection which includes the inner cone, and the insert part having a dirt seal (5) for resting on the circumference of the

inserted pipeline and wherein the housing part can be inserted with a plug-in section as a press-in cartridge into a connecting opening of an assembly part.

Legris does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or that the second material is attached directly into the first material to form a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.

With regard to claim 12 and as seen in Figure 32 above, Legris discloses the housing part having, on the circumference of the plug-in section, at least one tooth element (1s) for the engagement in the connecting opening.

With regard to claim 13 and as seen in Figure 32 above, Legris discloses the plug-in section having, on its circumference, at least one tooth element (1s) which acts in the manner of a thread such that the housing part can be plugged in with the plug-in section axially into the connecting opening and can further be removed from the connecting opening by unscrewing it.

With regard to claim 14 and as seen in Figure 32 above, Legris discloses the tooth element (1s) or tooth elements of the plug-in section being molded as a single piece with the base part but does not expressly disclose that the base part consists of brass.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the base part from a metal such as brass because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416).

With regard to claim 15 and as seen in Figure 32 above, Legris discloses the claimed invention but does not specifically disclose that the base part consists of plastic, and the tooth element or tooth elements consist of metal and are embedded in some regions in the plastic.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the base part from plastic and the tooth elements from metal because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have the tooth elements embedded in some regions of the plastic because embedding the tooth elements would strengthen the plastic and provide a stronger connection with assembly part.

Response to Arguments

7. No arguments have been presented by Applicant.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

/F. K./
Examiner, Art Unit 3679
August 18, 2008